

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(Case No. 01-1702)

In re Application of:

Bachy et al.

Serial No.: 09/980,265

Filed: March 22, 2002

For: Immunostimulant Oligonucleotide

Examiner: Terra C. Gibbs

Group Art Unit: 1635



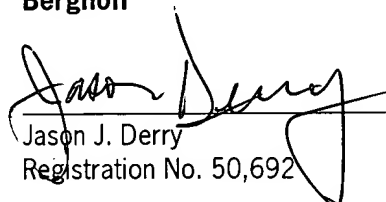
**RESPONSE TO THE EXAMINER'S COMMUNICATION MAILED DECEMBER 18, 2003**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Examiner's Communication mailed December 18, 2003, a substitute computer readable form copy and a paper copy of the Sequence Listing are provided herewith. In accordance with 37 CFR 1.821, the undersigned hereby states that the information recorded in computer readable form is identical to the written sequence listing, and neither contain new matter. The enclosed 3.5" diskette contains an IBM compatible dos-text file of the sequence listing named "01-1702.ST25.txt."

Respectfully submitted,  
**McDonnell Boehnen Hulbert &  
Berghoff**

  
Jason J. Derry  
Registration No. 50,692

Date: December 30, 2003

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12-31/03

Gp 1635



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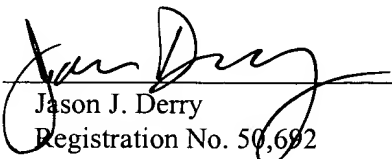
TRANSMITTAL LETTER

In regard to the above-identified patent application:

1. We are transmitting herewith the attached:
  - a. Response to the Examiner's Communication Mailed December 18, 2003
  - b. Postcard
2. With respect to additional fees:

No additional fee is required.
3. Please charge any additional fees or credit over-payments to the Deposit Account No.13-2490.
4. ☒ CERTIFICATE UNDER 37 CFR 1.10 (EXPRESS MAIL): The undersigned hereby certifies that this Transmittal Letter and this paper, as described in paragraph 1 hereinabove, are being deposited with the United States Postal Service, in an envelope addressed to: Commissioner of Patents, P.O. Box 1450, Alexandria ,VA 22313-1450, on this 30th day of December 2003.

Dated: December 30, 2003

By:   
Jason J. Derry  
Registration No. 50,692